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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,303	03/31/2000	Atul Suklikar	SIEB042/00US	1042
25096	7590	10/21/2004		
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER QUELER, ADAM M	
			ART UNIT 2179	PAPER NUMBER

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/540,303

Applicant(s)

SUKLIKAR ET AL.

Examiner

Adam M Queler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: Amendment filed 06/14/2004.
2. Claims 1-14 are pending in the case. Claims 1 and 8 are independent claims.
3. The rejection of claims 1-14 under §112, 1<sup>st</sup> paragraph is withdrawn in view of Applicant's response.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Assuming that the term "business object" as a modifier of "model" is not non-functional descriptive data, the term "business object model" does not distinctly point out the metes and bounds of the claims. In other words, it would not be clear on what specific models patent protection would apply to. For examining purposes only, it will be taken to be a non-functional descriptive modifier.

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**7. Claims 1-14 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Elo et al (US PGPUB 2003/0204814A1, filed 9/27/1999).**

**Regarding independent claim 1**, Elo teaches defining page models from XSL style sheets that serve as templates (para. 9, ll. 13-16). The name of the model is not a patentable distinction. Elo discloses building display objects including applets in a page delivery language (para. 9, ll. 16-19). Elo discloses storing XSL sheets and the applets separate from one another (para. 16). Elo also discloses assembling the objects into a page delivery application (para. 16). Elo does not teach separate style sheets and templates. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two into one file as XSL style sheets were used to provide templates containing structural relationships (para. 9, ll. 13-16).

**Regarding dependent claim 2**, Elo teaches the models to be defined are pages. HTML constitutes a page (para. 9, ll. 16-19).

**Regarding dependent claim 3**, Elo teaches the page delivery language is HTML (para. 9, ll. 16-19).

**Regarding dependent claim 4**, Elo discloses building display objects including applets in a page delivery language (para. 9, ll. 16-19).

**Regarding dependent claim 5**, Elo discloses using the templates to assemble the display objects (para. 34).

**Regarding dependent claim 6**, Elo teaches the templates are XSL document, which are text documents. It also includes several input and output devices that would configure the system to edit these templates (para. 15).

**Regarding dependent claim 7**, Elo teaches the style sheets separate content and form. This means that the system is configured to reuse the style sheets. Elo does not teach separate style sheets and templates. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two into one file as XSL style sheets were used to provide templates containing structural relationships (para. 9, ll. 13-16).

**Claims 8-16 remain rejected as being the method for system of claims 1-7.**

***Response to Arguments***

8. Applicant's arguments filed 06/14/2004 have been fully considered but they are not persuasive. Applicant alleges that replacing "page models" with "business object models" is a patentable distinction. The name of the object is not a patentable distinction. It appears from the response that Applicant is attempting to limit the claim by calling it a business object model, however the claim does not set forth a distinction to what would fall under that category. Although there is some discussion of business object in the specification, there does not seem enough to determine what is and what is not a business object model, and assuming for the sake of argument that there was limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

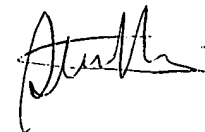
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AQ



STEPHEN S. HONG  
PRIMARY EXAMINER